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**THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appeal No: _____

In re the Application of: **MAEDA, Kazuya, et al.**

Group Art Unit: **3744**

Serial No.: **10/519,832**

Examiner: **TAPOLCAI, William E.**

Filed: **January 10, 2005**

P.T.O. Confirmation No.: **9645**

For: **LIQUID CONTAINING BAG AND FROZEN DESSERT MANUFACTURING
APPARATUS USING THE SAME**

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

October 29, 2009

In response to the Notification of Non-compliant Appeal Brief dated October 22, 2009, entry of
the following "Status of Claims" and remarks are respectfully requested.

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III. STATUS OF CLAIMS

Claims 1-5, 7, 9, and 11-18 are canceled without prejudice or disclaimer as to their subject matter.

Claims 6, 8, and 10 have been rejected and are the subject of this appeal.

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REMARKS

The status of all claims are submitted in response to the Notification of Non-Compliant Appeal Brief dated October 22, 2009, and is believed to be fully responsive thereto.

In the event this paper is not timely filed, Appellants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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PATENT TRADEMARK OFFICE